Patent 09/840,226

Miliano

REMARKS

Claims 1-30, 32 and 34-61 are now pending in the application. Claims 1, 14, 45, 50 and 54 are independent claims. Claims 3-8 have been amended and Claims 31 and 33 have been canceled.

Claims 4-13, 31 and 33 were rejected under 35 USC 112, second paragraph, as indefinite. Claims 3-8 have been amended to address the ambiguities raised in the Office Action and in particular, to correct dependency, and Claims 31 and 33 have been canceled. Reconsideration of these claims and withdrawal of Section 112 rejection are respectfully requested.

Claims 1-61 were rejected under 35 USC 102(e) as being anticipated by US Patent Publication US 2002/0023010 A1 (Rittmaster). This rejection is respectfully traversed. The accompanying Declaration of Brant Lindsay Candelore Pursuant to 37 CFR 1.131 is believed to render the outstanding 102(e) rejection moot. Reconsideration in light of the Declaration is respectfully requested.

Applicant respectfully submits that all of the pending claims are patentable over the art of record and prompt review and issuance is accordingly requested. Should the Examiner be of the view that an interview would expedite consideration of this Amendment or of the application at large, request is made that the Examiner telephone the Applicant's undersigned attorney at (908) 518-7700 in order that any outstanding issues be resolved.

Respectfully submitted,

Registration No. 36,721

Please Continue to Send All Correspondence to:

Mayer, Fortkort & Williams PC 251 North Avenue West, 2nd Floor Westfield NJ 07090

(908) 518-7700 (908) 518-7795 fax